APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,077	01/31/2001	Eric G. Lang	MS#150410.1/40062.85US01	8009

7590   12/04/2003

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EXAMINER
JOSEPH, THOMAS J

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 12/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	
Office Action Summary	09/775,077	LANG, ERIC G.	
	Examiner	Art Unit	
	Thomas J Joseph	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _31 January 2001_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-40_ is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-40_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.
13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
   since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
   37 CFR 1.78.
   a) ☐ The translation of the foreign language provisional application has been received.
14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
   reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1 – 3, 6 – 8, 11, 13, 14, 17, 18, 22, 23, 25 – 29, 31, 35, 36, 38, and 40 are

rejected under 35 U.S.C. 102(e) as being anticipated by Narayanaswami et al (US

6,525,997).

Claim 1:

Narayanaswami teaches a user interface suitable for a small computing device

(fig. 4). Narayanaswami teaches a display screen (fig. 1, #20). Narayanaswami

teaches a bezel surrounding said display screen, said bezel moveable that is relative to

said display screen (col. 5, lines 18 – 25). Narayanaswami teaches displaying a cursor

within said display screen, wherein said cursor is responsive to movement of said bezel

(col. 5, lines 18 – 25).

Claim 2:

Narayanaswami teaches a pointing icon cursor (col. 5, lines 10 – 18).

Claim 3:

Narayanaswami teaches cursor including a highlighted selection cursor (col. 5,

lines 10 – 18). A method for selecting an item on a GUI is taught herein. This method

requires a cursor for highlighting and entering selections.

Claim 6:

Narayanaswami teaches said bezel including bezel buttons (col. 5, lines 8 – 25).

Any selection switch on the bezel is a bezel button.

Claim 7:

Narayanaswami teaches said bezel that includes bezel buttons (col. 5, lines 8 –

25). Any selection switch on the bezel is a bezel button.

Claim 8:

Narayanaswami teaches a display surface on said display screen (fig. 3, #132).

Narayanaswami teaches a bezel that is rotatable about an axis said axis being normal

to said display surface (col. 5, lines 8 – 25).

Claim 11:

Narayanaswami teaches a display surface on said display screen (fig. 3, #132).

Narayanaswami teaches a bezel being a pivotal about a pivot point (col. 5, lines 8 – 25).

Narayanaswami teaches a pivot point located on an axis normal to said display surface

(col. 5, lines 8 – 25).

Claim 14:

Narayanaswami teaches a display surface on said display screen (fig. 3, #132).

Narayanaswami teaches bezel being movable along a plane substantially parallel to

said display surface (col. 5, lines 8 – 25).

Claim 17:

Narayanaswami teaches at least one movement sensor configured to provide a

movement signal when movement of said bezel occurs (col. 5, lines 8 – 25). The bezel

contains tiny switches for performing movements and selections.

Claim 18:

Narayanaswami teaches a movement sensor being a micro-switch (col. 5, lines 8

– 25). The bezel contains tiny switches for performing movements and selections.

Claim 22:

Narayanaswami teaches a bezel including at least one touch sensor that is

responsive to finger contract (col. 5, lines 8 – 25). Pressure is required from the finger

for the bezel switch to be activated.

Claim 23:

Narayanaswami teaches a UI suitable for a small computing device (col. 5, lines

8 – 25). Narayanaswami teaches a bezel encircling said display screen (col. 5, lines 8 –

25). Narayanaswami teaches a bezel that is a rotatable about an axis normal to said

display surface (col. 5, lines 8 – 25). Narayanaswami teaches a bezel that is movable

along a plane substantially parallel to said display surface (col. 5, lines 8 – 25).

Narayanaswami teaches said bezel being pivotable about a pivot point (col. 5, lines 8 –

25). Narayanaswami teaches a display screen responsive to said bezel movement (col.

5, lines 8 – 25).

Claim 25:

Narayanaswami teaches said bezel that includes a touch sensor responsive to

finger contact (col. 5, lines 8 – 25). Pressure is required from the finger for the bezel

switch to be activated.

Claim 26:

Narayanaswami teaches interfacing user input to a small computing device (col.

5, lines 8 – 25). Narayanaswami teaches displaying a cursor on a display screen (col.

5, lines 8 – 25). Narayanaswami teaches receiving a movement signal indicating

movement of a bezel relative to said display screen (col. 5, lines 8 – 25).

Narayanaswami teaches the said bezel encircling the said display screen (col. 5, lines 8

– 25). Narayanaswami teaches positioning said cursor on said display screen in

response to said received movement signal (col. 5, lines 8 – 25).

Claim 27:

Narayanaswami teaches biasing said bezel to a substantially central position

(col. 5, lines 8 – 25).

Claim 28:

Narayanaswami teaches a portable Internet device (fig. 3; col. 6, lines 45 – 60).

Narayanaswami teaches displaying screen Internet data (fig. 3; col. 6, lines 45 – 60).

Narayanaswami teaches a bezel encircling said display screen, said bezel movable

relative to said display screen (col. 5, lines 8 – 25). Narayanaswami teaches at least

one movement sensor configured to provide a movement signal when movement of

said bezel occurs (col. 5, lines 8 – 25).

Claim 29:

Narayanaswami teaches a user interface suitable for a small computing device (col. 5, lines 8 – 25). Narayanaswami teaches a display screen (col. 5, lines 8 – 25). Narayanaswami teaches a display surface on said display screen having a center point (col. 5, lines 8 – 25). Narayanaswami teaches a bezel encircling said display screen (col. 5, lines 8 – 25). Narayanaswami teaches a bezel that is pivotable about a pivot point (col. 5, lines 8 – 25). Narayanaswami teaches a pivot point located on a center axis normal to said display surface (col. 5, lines 8 – 25). Narayanaswami teaches a center axis located substantially through said center point (col. 5, lines 8 – 25). Narayanaswami teaches at least one movement sensor configured to provide a movement signal when movement of said bezel occurs (col. 5, lines 8 – 25).

Claim 31:

Narayanaswami teaches a bezel that is rotatable about the said center axis (col. 5, lines 8 – 25).

Claim 35:

Narayanaswami teaches a bezel that is movable within a combination of rotated, pivoted, and planar positions (col. 5, lines 8 – 25).

Claim 36:

Narayanaswami teaches a display screen (col. 5, lines 8 – 25). Narayanaswami teaches a display surface on said display screen (col. 5, lines 8 – 25). Narayanaswami teaches a bezel encircling said display screen (col. 5, lines 8 – 25). Narayanaswami teaches a bezel being movable along a plane substantially parallel to said display surface (col. 5, lines 8 – 25). Narayanaswami teaches at least one movement sensor

configured to provide a movement signal when movement of the said bezel occurs (col.

5, lines 8 – 25).

Claim 38:

Narayanaswami teaches a rotatable about a center axis (col. 5, lines 8 – 25).

Narayanaswami teaches a center axis being normal to said display surface and passing

through a center point on said display screen (col. 5, lines 8 – 25).

Claim 40:

Narayanaswami teaches said bezel being moveable to a combination of rotated,

pivoted, and planar positions (col. 5, lines 8 – 25).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Narayanaswami (US 6,525,997) as applied to claim 1 above, and further in view of

Moon et al. (US 6,433,801).

Claim 4:

Narayanaswami fails to teach a cursor including scrollbar cursor. Moon et al.

(US 6,433,801) teaches a cursor including scrollbar cursor (fig. 3, #132). It would have

been obvious to one with ordinary skill in the art at the time of the invention to combine

the cursor including the scrollbar cursor taught by Moon with the smart watch disclosed

by Narayanaswami. Doing so enables the user to view textual data that is otherwise

inaccessible due to the limited space of the display device.

5.   Claims 5, 9, 10, 12, 13, 15, 16, 30, 32 – 34, 37 and 39 are rejected under 35

U.S.C. 103(a) as being unpatentable over Narayanaswami (US 6,525,997) as applied to

claims 1, 8, 11, 14, 29, 31, and 36 above, and further in view of Rosenberg et al (US

6,219,032).

Claim 5:

Narayanaswami fails to teach a cursor including a text-selection cursor.

Rosenberg teaches a cursor including a text-selection cursor (fig. 21). It would have

been obvious to one with ordinary skill in the art at the time of the invention to combine

the cursor including a text-selection cursor taught by Rosenberg with the smart watch

disclosed by Narayanaswami. Doing so enables the user to select textual data

displayed in a list.

Claim 9:

Narayanaswami teaches a bezel (col. 5, lines 8 – 25). Narayanaswami fails to

teach biasing to a non-rotated position. Rosenberg et al (US 6,219,032) biasing to a

non-rotated position (fig. 20c; col. 57, lines 40 – 60). It would have been obvious to one

with ordinary skill in the art at the time of the invention to combine biasing to a non-

rotated position taught by Rosenberg with the smart watch disclosed by

Narayanaswami. Doing so provides a method for automatically resetting the bezel to

the home position.

Claim 10:

Narayanaswami fails to teach a spring-like bezel for biasing said bezel to said non-rotated position. Rosenberg teaches a biasing said settings to said non-rotated position (fig. 20c; col. 57, lines 40 – 60). It would have been obvious to one with ordinary skill in the art at the time of the invention to combine spring-like coupling of said cursor to the non-rotated position taught by Rosenberg with the smart watch disclosed by Narayanaswami. Doing so provides a method for automatically resetting the bezel to the said non-rotated position.

Claim 12:

Narayanaswami fails to teach biasing to a non-pivoted position. Rosenberg et al (US 6,219,032) teaches biasing to a non-pivoted position (fig. 20c; col. 57, lines 40 – 60). It would have been obvious to one with ordinary skill in the art at the time of the invention to combine biasing to a non-pivoted position to the non-rotated position taught by Rosenberg with the smart watch disclosed by Narayanaswami. Doing so provides a method for automatically resetting the bezel to the said non-rotated position.

Claim 13:

Narayanaswami teaches a bezel being a pivotal about a pivot point (col. 5, lines 8 – 25). Narayanaswami fails to teach a spring-like bezel for biasing said bezel to said non-rotated position. Rosenberg teaches a spring coupled with the bezel biasing to said non-pivoted position (fig. 20c; col. 57, lines 40 – 60). It would have been obvious to one with ordinary skill in the art at the time of the invention to combine spring-like coupling of said cursor to the non- pivoted position taught by Rosenberg with the smart watch

disclosed by Narayanaswami. Doing so provides a method for automatically resetting the bezel to the said non- pivoted position.

Claim 15:

Narayanaswami teaches a bezel being a pivotal about a pivot point (col. 5, lines 8 – 25). Narayanaswami fails to teach biasing to the rest position. Rosenberg teaches biasing to the rest position (fig. 20c; col. 57, lines 40 – 60). It would have been obvious to one with ordinary skill in the art at the time of the invention to combine biasing to the rest position taught by Rosenberg with the smart watch disclosed by Narayanaswami. Doing so provides a method for automatically resetting the bezel to the home position.

Claim 16:

Narayanaswami teaches a bezel being a pivotal about a pivot point (col. 5, lines 8 – 25). Rosenberg teaches a spring-like coupling with biasing to said rest position (fig. 20c; col. 57, lines 40 – 60).

Claim 30:

Narayanaswami fails to teach a spring-like bezel for biasing said bezel to said non-rotated pivoted position. Rosenberg teaches a biasing said settings to said non-rotated position (fig. 20c; col. 57, lines 40 – 60). It would have been obvious to one with ordinary skill in the art at the time of the invention to combine spring-like coupling of said cursor to the non-rotated or original position taught by Rosenberg with the smart watch disclosed by Narayanaswami. Doing so provides a method for automatically resetting the bezel to the said non-rotated position.

Claim 32:

Narayanaswami teaches a bezel being movable along a plane substantially parallel to said surface (col. 5, lines 8 – 25). Narayanaswami teaches a bezel being moved along a plane (col. 5, lines 8 – 25).

Narayanaswami fails to teach a spring-like bezel for biasing said bezel to said non-rotated pivoted position. Rosenberg teaches a biasing said settings to said non-rotated position (fig. 20c; col. 57, lines 40 – 60). It would have been obvious to one with ordinary skill in the art at the time of the invention to combine spring-like coupling of the said cursor to the non-rotated or original position taught by Rosenberg with the smart watch disclosed by Narayanaswami. Doing so provides a method for automatically resetting the bezel to the said non-rotated position.

Claim 33:

Narayanaswami teaches said bezel (col. 5, lines 8 – 25).

Narayanaswami fails to teach biasing to a substantially centered position. Rosenberg teaches a biasing said settings to said non-rotated position or centered position (fig. 20c; col. 57, lines 40 – 60). This biasing demonstrates biasing to a "substantially" centered position. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine biasing to a substantially centered position taught by Rosenberg with the smart watch disclosed by Narayanaswami. Doing so provides a method for automatically resetting the bezel to the said non-rotated "centered" position.

Claim 34:

Narayanaswami teaches a bezel with the potential of biasing to a substantially

centered position (col. 5, lines 8 – 25). Rosenberg biasing to said non-pivoted position

(fig. 20c; col. 57, lines 40 – 60).

Claim 37:

Narayanaswami teaches said bezel (col. 5, lines 8 – 25).

Narayanaswami fails to teach biasing to a substantially centered position.

Rosenberg teaches a biasing said settings to said non-rotated position (fig. 20c; col. 57,

lines 40 – 60). This biasing demonstrates biasing to a substantially centered position. It

would have been obvious to one with ordinary skill in the art at the time of the invention

to combine biasing to a substantially centered position taught by Rosenberg with the

smart watch disclosed by Narayanaswami. Doing so provides a method for

automatically resetting the bezel to the said non-rotated "centered" position.

Claim 39:

Narayanaswami teaches said bezel (col. 5, lines 8 – 25). Narayanaswami fails

to teach a spring-like bezel for biasing said bezel to said non-rotated pivoted position.

Rosenberg et al (US 6,219,032) teaches biasing to a non-rotated position (fig. 20c; col.

57, lines 40 – 60). It would have been obvious to one with ordinary skill in the art at the

time of the invention to combine spring-like coupling of said cursor to the non-rotated

position taught by Rosenberg with the smart watch disclosed by Narayanaswami.

Doing so provides a method for automatically resetting the bezel to the said non-rotated

position.

6.   Claim 19 rejected under 35 U.S.C. 103(a) as being unpatentable over

Narayanaswami (US 6,525,997) as applied to claim 17 above, and further in view of

Hunt (US 6,029,122).

Claim 19:

        Narayanaswami fails to teach a movement sensor being an optical encoder.

Hunt (US 6,029,122) teaches a movement sensor being an optical encoder (col. 3, lines

3 – 11). It would have been obvious to one with ordinary skill in the art at the time of the

invention to combine a movement sensor being an optical encoder taught by Hunt with

the smart watch disclosed by Narayanaswami. Doing so provides a method for entering

input without making physical contact with the computing device.

7.   Claim 20 rejected under 35 U.S.C. 103(a) as being unpatentable over

Narayanaswami (US 6,525,997) as applied to claim 17 above, and further in view of

Curchod (US 5,826,578).

Claim 20:

        Narayanaswami fails to teach a movement sensor being a magnetic encoder.

Curchod (US 5,826,578) teaches movement sensor being a magnetic encoder (col. 4,

lines 1 – 15). It would have been obvious to one with ordinary skill in the art at the time

of the invention to combine the movement sensor being a magnetic encoder taught by

Curchod with the smart watch disclosed by Narayanaswami. Doing so provides a

method for entering data from magnetic mediums into the smart watch.

8.   Claims 21 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable
over Narayanaswami (US 6,525,997) as applied to claims 1 and 23 above, and further
in view of DeLine et al. (US 6,420,075).

Claim 21:

Narayanaswami fails to teach cursor being responsive to movement of said bezel
in combination with spoken commands. DeLine et al. (US 6,420,075) teaches said
cursor being responsive to movement of said bezel in combination with spoken
commands (col. 49, lines 20 – 28). It would have been obvious to one with ordinary skill
in the art at the time of the invention to combine the cursor being responsive to
movement of said bezel in combination with spoken commands taught by DeLine with
the smart watch disclosed by Narayanaswami. Doing so provides a method for entering
data with neither physical contact nor physical movement of the hands.

Claim 24:

Narayanaswami fails to teach cursor being responsive to movement of said bezel
in combination with spoken commands. DeLine et al. (US 6,420,075) teaches said
cursor being responsive to movement of said the bezel in combination with spoken
commands (col. 49, lines 20 – 28). It would have been obvious to one with ordinary skill
in the art at the time of the invention to combine the cursor being responsive to
movement of said bezel in combination with spoken commands taught by DeLine with
the smart watch disclosed by Narayanaswami. Doing so provides a method for entering
data with neither physical contact nor physical movement of the hands.
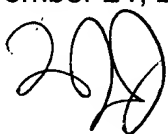
Conclusion

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thomas J Joseph whose telephone number is 703-305-

3917. The examiner can normally be reached Monday through Friday from 7:30 am to

4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9806.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-305-

3900.

KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
November 24, 2003   TECHNOLOGY CENTER 2100
tjj